

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WEDRIA LONG,

No. 09-11021

Plaintiff,

District Judge Arthur J. Tarnow

v.

Magistrate Judge R. Steven Whalen

ANNAE SANDERS, ET AL.,

Defendants.

/

**ORDER DENYING MOTION TO APPOINT COUNSEL**

Plaintiff, a *pro se* litigant in this civil rights action brought under 42 U.S.C. §1983, has filed a motion for appointment of counsel [Docket #49].

Unlike criminal cases, there is no constitutional or statutory right to the appointment of counsel in civil cases. Rather, the Court requests members of the bar to assist in appropriate cases. In *Lavado v. Keohane*, 992 F.2d 601, 605-606 (6<sup>th</sup> Cir. 1993), the Sixth Circuit noted that “[a]ppointment of counsel in a civil case is not a constitutional right. It is a privilege that is justified only by exceptional circumstances.” (Internal quotations and citations omitted).

It is the practice of this Court to defer any attempt to obtain counsel for *pro se* civil rights Plaintiffs until after all motions to dismiss or motions for summary judgment have been denied. A motion for summary judgment is presently pending. [Docket #40]. At this stage of the proceedings, Plaintiffs’ request for counsel is premature.

Accordingly, Plaintiffs’ Motion to Appoint Counsel [Docket #49] is DENIED WITHOUT PREJUDICE.

SO ORDERED.

S/R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

Dated: June 14, 2010

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on June 14, 2010.

S/G. Wilson  
Judicial Assistant